

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

(1) OSAKPAMWAN HENRY OMORUYI,
a/k/a/ "Clifford Bernard,"

(2) OSARETIN GODSPOWER OMORUYI,
a/k/a/ "Nelson Bright," a/k/a/ "Bright
Nelson,"

Defendants

) Criminal No. 21cr10217

) Violation:

) Count One: Bank and Wire Fraud Conspiracy
(18 U.S.C. § 1349)

) Counts Two-Four: Wire Fraud
(18 U.S.C. § 1343)

) Counts Five-Six: Money Laundering
(18 U.S.C. § 1957)

) Forfeiture Allegation:
(18 U.S.C. § 981(a)(1)(C) and
28 U.S.C. § 2461)

) Money Laundering Forfeiture Allegation:
(18 U.S.C. § 982(a)(1))

INDICTMENT

At all times relevant to this Indictment:

General Allegations

1. OSAKPAMWAN HENRY OMORUYI ("HENRY OMORUYI"), also known as "Clifford Bernard," was an individual who resided in Canton, Massachusetts.

2. OSARETIN GODSPOWER OMORUYI ("OSARETIN OMORUYI"), also known as "Bright Nelson" and "Nelson Bright," was an individual who resided in Canton, Massachusetts.

3. Co-Conspirator 1 ("CC-1") was an individual who resided in Hyde Park, Massachusetts.

4. Co-conspirator 2 ("CC-2") was an individual believed to have resided in Bronx, New York and elsewhere.

5. Victims 1-12 are individuals who lost money due to schemes in which they sent funds to bank accounts associated with the Defendants and other co-conspirators.

6. The affected banks—including Bank of America, N.A., J.P. Morgan Chase, N.A., Citizen's Bank, N.A., Santander Bank, N.A., TD Bank N.A., Eastern Bank, Blue Hills Bank/Rockland Trust Bank—are all financial institutions within the meaning of 18 U.S.C. § 20.

Overview of the Conspiracy and Scheme to Defraud

7. From in or about at least 2017 to in or about at least March 2021, as set forth below, HENRY OMORUYI, OSARETIN OMORUYI, and others known and unknown to the grand jury participated in a series of romance, pandemic unemployment insurance, and other online scams designed to defraud victims into sending money to accounts controlled by them in their own names and under false names used by them. To carry out the scams, they used false foreign passports, with fake names but with their photos, to open numerous bank accounts, and in turn directed the victims to send the victims' money to these accounts. HENRY OMORUYI, OSARETIN OMORUYI, and others known and unknown to the grand jury then rapidly withdrew the victims' money from various bank branches and ATMs. As set forth below, HENRY OMORUYI, OSARETIN OMORUYI, and other co-conspirators used accounts in the names of Desmond Barnabas, Benedict Lejeune, George Wood, Philip Weah, Clifford Bernard, Samuel Kwamen, Bright Nelson, and/or Nelson Bright, among others, to receive and withdraw victims' funds.

Object and Purpose of the Conspiracy and Schemes to Defraud

8. The object of the conspiracy and schemes to defraud was to commit bank and wire fraud by engaging in online scams. The principal purpose of the conspiracy and schemes to

defraud was to make money by defrauding individual victims and government benefit administrators into sending money to members of the conspiracy.

Manner and Means of the Conspiracy and Schemes to Defraud

9. Among the manner and means by which HENRY OMORUYI, OSARETIN OMORUYI, and co-conspirators known and unknown to the grand jury carried out the conspiracy and schemes to defraud were the following:

- a. Conspirators corresponded with victims online and, through false pretenses, induced them to believe that they were in romantic or other relationships;
- b. Through false pretenses, conspirators induced victims to transmit money to HENRY OMORUYI, OSARETIN OMORUYI, and other conspirators;
- c. Conspirators submitted false applications for government benefits and directed the benefits to accounts controlled by conspirators, including those controlled by HENRY OMORUYI and OSARETIN OMORUYI;
- d. HENRY OMORUYI, OSARETIN OMORUYI, and other conspirators opened bank accounts in their own names and in fake names, using fraudulent passports and documents, and used these accounts to receive victim funds; and
- e. HENRY OMORUYI, OSARETIN OMORUYI, and other conspirators diverted individual victim funds and funds from government benefit programs received in the names of others from these accounts for their own benefit.

Acts in Furtherance of the Conspiracy and Schemes to Defraud

Opening Accounts With Fraudulent Passports

10. Between June 2017 and February 2020, CC-1 opened at least 16 different bank accounts with four different fake passports with his photo, as set forth below:

	Name Used	Financial Institution	Approx. Date Opened
1	Benedict LeJeune	TD Bank	06/16/2017
2	Benedict LeJeune	Bank of America	07/26/2017
3	Benedict LeJeune	Santander Bank	02/20/2018
4	George Wood	Blue Hills Bank/ Rockland Trust Bank	04/10/2018
5	George Wood	Eastern Bank	04/11/2018
6	George Wood	Santander Bank	04/11/2018
7	Desmond Barnabas ¹	Citizens Bank	12/22/2018
8	Desmond Barnabas	TD Bank	12/22/2018
9	Desmond Barnabas	Bank of America	03/22/2019
10	Desmond Barnabas	J.P. Morgan Chase Bank	03/29/2019
11	Desmond Barnabas	Santander Bank	12/06/2019
12	Philip Weah	Citizens Bank	03/09/2019
13	Philip Weah	TD Bank	10/17/2019
14	Philip Weah	JP Morgan Chase Bank	02/11/2020
15	Philip Weah	Bank of America	02/12/2020
16	Philip Weah	Rockland Trust Bank	02/13/2020

¹ Some entries in the Desmond Barnabas accounts were also inverted and listed in the name of Barnabas Desmond.

11. On or about the dates set forth below, HENRY OMORUYI used a fraudulent Ghanaian passport in the name of Clifford Bernard affixed with a photo that appears to be of HENRY OMORUYI to open two bank accounts in the name of “Clifford Bernard” at TD Bank and Santander Bank.

	Name Used	Financial Institution	Approx. Date Opened
1	Clifford Bernard	TD Bank	3/17/2020
2	Clifford Bernard	Santander Bank	4/30/2020

12. On or about the dates set forth below, OSARETIN OMORUYI used a South African passport in the name of Bright Nelson but with a photo that appears to be OSARETIN OMORUYI to open accounts at Rockland Trust, Citizens Bank, TD Bank, JP Morgan Chase Bank and Bank of America.

	Name Used	Financial Institution	Approx. Date Opened
1	Bright Nelson	Rockland Trust	5/24/2019
2	Bright Nelson	Bank of America	12/4/2019
3	Nelson Bright	Citizens Bank	11/17/2019
4	Nelson Bright	TD Bank	3/15/2020
5	Bright Nelson	JP Morgan/Chase	4/14/2020

13. Between in or about 2019 and 2021, conspirators used the residential address of HENRY OMORUYI in Hyde Park, Massachusetts (Address #1) to open numerous bank accounts with fake names and passports, including two each in the name of Philip Weah and Clifford

Bernard, included above, and two in the name of Samuel Kwamen at TD Bank and Santander Bank.

Accessing and Providing Fraudulent Accounts to Receive Funds

14. On or about June 22, 2020, OSARETIN OMORUYI received from CC-2 a WhatsApp message with the name Samuel Kwamen and a Boston address (“Address #2”) and then sent the name Samuel Kwamen and Address #2 to another conspirator.

15. On or about September 4, 2020, OSARETIN OMORUYI sent a WhatsApp message to a conspirator with the name of Philip Weah and the account information for the TD Bank account opened in the name of Philip Weah by CC-1 listed above.

16. On or about November 22, 2020, OSARETIN OMORUYI sent a WhatsApp message to a conspirator with the name Bright Nelson and the account information for the Bright Nelson TD bank account.

17. On or about December 5, 2020, OSARETIN OMORUYI sent a WhatsApp message to conspirator with the name Philip Weah and the account information for the Philip Weah account at TD Bank.

18. On or about December 16, 2020, OSARETIN OMORUYI sent a WhatsApp message to conspirator with the name Bright Nelson and the account information for the Bright Nelson TD Bank account.

**Fraudulent Bank Accounts to Receive Fraud Proceeds from Victims Throughout
the Country-
Victim 1 – Virginia Beach, Virginia**

19. In or about 2018, a conspirator using the name David Smith (“Smith”) contacted Victim 1, a 68-year-old woman living in Virginia Beach, Virginia online and told her that he was an officer in the United States Army stationed overseas. Over time, Smith requested money for,

among other things, his daughter's education, his travel, and his medical expenses and caused Victim 1 to sell her house and deplete her retirement savings to provide the requested funds.

20. On or about October 31, 2018, Smith caused Victim 1 to send a \$1,250 wire to that account to the Benedict Lejeune Santander Bank account in Massachusetts listed above, which funds were quickly withdrawn in cash over the next few days.

Victim 2 – Idaho Falls, Idaho

21. On or about April 3, 2018, a conspirator pretending to be in a relationship with Victim 2, caused Victim 2, 62-year-old woman who resided in Idaho Falls, Idaho, to send a \$71,200 wire to the Lejeune Santander Bank account, which funds included proceeds from the life insurance policy that Victim 2 received in the wake of her husband's death.

22. On or about April 5, 2018, the same day that Victim 2's funds arrived, a conspirator purchased a cashier's check in the amount of \$25,000 with Victim 2's funds from the Lejeune Santander account in Massachusetts and deposited that cashier's check into the Lejeune Bank of America account. These funds were then withdrawn in cash over the next ten days.

Victim 3 – Portland, Oregon

23. On or about May 12, 2018 and May 25, 2018, a conspirator pretending to be her online boyfriend, caused Victim 3, an 81-year-old woman who resided in Portland, Oregon, to wire \$2,000 and \$20,000, respectively, to the Wood Eastern Bank account.

24. In or about May 2018, shortly after the funds arrived, a conspirator withdrew \$2,600 of Victim 3's funds from the Wood Eastern Bank account via cash and point-of-sale purchases.

Victim 4 – Louisville, Kentucky

25. In or about April 2020, a conspirator contacted Victim 4, a 65-year-old woman who

resided in Louisville, Kentucky, by a Facebook “friend” request, and claimed to be Larry Midkiff Richard (“Midkiff Richard”) – a member of the United States Army serving in Iraq. “Midkiff Richard” began texting with Victim 4 and purportedly began a romantic relationship with her. “Midkiff Richard” asked Victim 4 to send money because he claimed he needed to pay money to get out of military service, so that he could come and be with Victim 4. Midkiff Richard also claimed that he had rescued a prince and had money at his disposal to pay Victim 4 back later.

26. In or about the spring and summer of 2020, “Midkiff Richard” directed Victim 4 to send money to Clifford Bernard, a person “Midkiff Richard” claimed was “Midkiff Richard’s” commanding officer who would use the funds to arrange for “Midkiff Richard’s” release from military service.

27. In or about the summer of 2020, “Midkiff Richard” caused Victim 4 to send tens of thousands of dollars in cashier’s checks via FedEx to an address in Hyde Park, Massachusetts.

28. On or about July 13, 2020, HENRY OMORUYI deposited a \$30,000 cashier’s check sent by Victim 4 into a Santander account in the name of Clifford Bernard and over the next several days used those funds to purchase a \$20,000 cashier’s check payable to HENRY OMORUYI, and to make cash withdrawals of approximately \$9,000.

Victim 5 - Englewood, Ohio

29. In or about January 2020, a conspirator purporting to be Scott Midkiff (“Midkiff”) contacted a 60-year-old woman who resides in Englewood, Ohio (Victim 5) by a Facebook friend request and began communicating with her using WhatsApp and Google Hangouts. “Midkiff” claimed to be in the United States military and stationed in Afghanistan.

30. In or about early 2020, “Midkiff” asked Victim 5 for money and claimed that he needed the funds to be released from military service and to fund his travel back to the United

States. “Midkiff” promised that after he returned to the United States, he would move to be with Victim 5 and repay her all the money she provided to him. “Midkiff” directed Victim 5 to refinance her home to provide funds to “Midkiff,” which she did.

31. On or about the dates set forth below, Midkiff caused Victim 5 to send cashier’s checks payable to HENRY OMORUYI and Clifford Bernard as follows:

Date	Payee on Cashier’s Check	Amount	Means of Delivery	Location Sent to
1/28/2020	Henry Omoruyi	\$27,500	Fedex	Hyde Park, MA
2/10/2020	Henry Omoruyi	\$14,000	Fedex	Henry Omoruyi, 11 Albermarle, Boston, MA
3/25/2020	Clifford [sic] Bernard	\$31,000	Fedex	Clifford Bernard, 1110 River St, Hyde Park, MA

32. On or about February 13, 2020, HENRY OMORUYI deposited a cashier’s check obtained by Victim 5 in the amount of \$14,000 into a Rockland Trust Company account in the name of OSAKPAMWAN HENRY OMORUYI.

Victim 6 - Blairsville, Pennsylvania

33. In or about 2017, a conspirator using the name David Samadi (“Samadi”) contacted Victim 6, a 55-year-old woman who resided in Blairsville, Pennsylvania, through Facebook. “Samadi” reported to Victim 6 that he was a doctor temporarily providing aid in Afghanistan and asked Victim 6 for financial assistance.

34. On or about June 9, 2020, “Samadi” caused Victim 6 to wire \$2,000 to a TD Bank account in the name of Samuel Kwamen.

35. On or about June 10, 2020, an individual driving a car registered to OSARETIN OMORUYI drove to the TD Bank window in Roslindale, Massachusetts and withdrew \$1,940 in cash from the TD Bank account in the name of Samuel Kwamen.

Victim 7 – Dehli, Iowa

36. In or about the summer of 2020, a conspirator caused a fraudulent application in the name of Victim 7, a resident of Dehli, Iowa, to be submitted to the U.S. Department of the Treasury and the Small Business Administration (“SBA”) for an SBA Disaster loan in the name of Victim 7 and requested that the funds be directed to the TD Bank account opened in the name of Samuel Kwamen. Victim 7 did not actually apply for any SBA disaster loan or run the business listed on the application.

37. On or about August 4, 2020, one or more conspirators caused a \$47,200 ACH credit from “SBAD Treasury 310” to be deposited into the TD Bank account in the name of Samuel Kwamen.

Victim 8 – Radcliff, Kentucky

38. In or about 2017, a conspirator contacted a woman residing in Radcliff, Kentucky, Victim 8, by online message and began corresponding with her, purporting to be in a relationship with her and asking her for money.

39. On or about the dates set forth below, this conspirator caused Victim 8 to send numerous wires of funds from bank branches in Kentucky to the conspirators’ accounts in Massachusetts, including those listed below:

Date	Amount	Sending Financial Institution	Receiving Account
8/17/2017	\$3,000	Fort Knox Federal Credit Union	BOA Acct. in Name of OSARETIN GODSPOWER OMORUYI
10/6/2017	\$2,000	Fort Knox Federal Credit Union	BOA Acct. in Name of OSARETIN GODSPOWER OMORUYI
11/10/2017	\$2,000	Fort Knox Federal Credit Union	BOA Acct. in Name of OSARETIN GODSPOWER OMORUYI
1/10/2018	\$2,000	Fort Knox Federal Credit Union	BOA Acct. in Name of OSARETIN GODSPOWER OMORUYI

2/9/2018	\$2,000	Fort Knox Federal Credit Union	BOA Acct. in Name of OSARETIN GODSPOWER OMORUYI
3/9/2018	\$2,000	Fort Knox Federal Credit Union	BOA Acct. in Name of OSARETIN GODSPOWER OMORUYI
5/8/2018	\$2,120	Fort Knox Federal Credit Union	BOA Acct. in Name of OSARETIN GODSPOWER OMORUYI
8/14/2019	\$4,147	Fort Knox Federal Credit Union	Hanscom Acct in name of OSARETIN OMORUYI
1/13/2020	\$1,530	Fort Knox Federal Credit Union	Citizens Acct. in name of Nelson Bright
2/4/2020	\$2,040	Fort Knox Federal Credit Union	Citizens Acct. in name of Nelson Bright
6/15/2020	\$2,200	Abound Federal Credit Union	TD Bank Acct. in the name of Bright Nelson
9/4/2020	\$3,000	Limestone Bank	TD Bank Acct. in the name of Bright Nelson

**COVID Unemployment Funds for Victim 9 Transferred to
Clifford Bernard TD Bank Account**

40. On or about May 29, 2020, a conspirator caused to be transferred to the TD Bank account under the name Clifford Bernard two ACH credits totaling \$8,205 for COVID-related unemployment benefits from claims falsely submitted on behalf of Victim 9, a resident of Millinocket Maine, an employed nurse who had not claimed such unemployment benefits. The funds were spent or withdrawn in cash over a period of three weeks following the deposits.

**COVID Unemployment Funds for Victims 10-12 sent to
Bright Nelson BOA Account**

41. On or about June 16, 2020, a conspirator caused to be sent to the Bright Nelson BOA Account an ACH credit that were unemployment benefits from the New York Department of Labor ("NY DOL") and the Arizona Department of Economic Security ("AZ DES") for at least three separate beneficiary victims, as follows:

Date Received	Purported Claimant	Amount	Source of Funds
6/5/2020	Victim 10 from Arizona (PHA)	\$5,019.00	AZ DES
6/16/2020	Victim 11 (RCM) from New York	\$159.25	NY DOL
6/16/2020	Victim 11 (RCM) from New York	\$525.00	NY DOL
6/16/2020	Victim 12 (AFP) from New York	\$159.25	NY DOL
6/16/2020	Victim 12 (AFP) from New York	\$525.00	NY DOL

Defendants Transferred Funds To Their Accounts In Nigeria

42. Between on or about September 14, 2020 and on or about December 4, 2020, HENRY OMORUYI caused approximately \$100,000 in cash and money orders to be deposited into an account in his name at J.P. Morgan Chase Bank.

43. Between on or about September 14, 2020 and on or about December 4, 2020, HENRY OMORUYI wired approximately \$75,000 from his J.P. Morgan Chase account to accounts at the First Bank Nigeria Limited in the names of HENRY OMORUYI and OSARETIN OMORUYI, with approximately \$54,000 to HENRY OMORUYI and \$20,000 to OSARETIN OMORUYI.

44. Between on or about September 25, 2020 and on or about January 12, 2021, OSARETIN OMORUYI caused approximately \$134,000 in cash and money orders to be deposited into his account in his name at J.P. Morgan Chase Bank.

45. Between on or about September 25, 2020 and on or about January 12, 2021, OSARETIN OMORUYI wired approximately \$134,000 from a J.P. Morgan Chase account in his name to accounts at the First Bank of Nigeria Limited in the name of OSARETIN OMORUYI.

COUNT ONE
Bank and Wire Fraud Conspiracy
(18 U.S.C. § 1349)

The Grand Jury charges:

46. The Grand Jury re-alleges and incorporates by reference paragraphs 1-45 of this Indictment.

47. From in or about 2017 through in or about March 2020, in the District of Massachusetts and elsewhere, the defendants,

(1) OSAKPAMWAN HENRY OMORUYI, a/k/a/ "Clifford Bernard," and
(2) OSARETIN GODSPOWER OMORUYI, a/k/a/ "Nelson Bright," a/k/a/
"Bright Nelson,"

conspired with each other and with others known and unknown to the Grand Jury to commit the following offenses:

- a. bank fraud, that is, to knowingly execute, and attempt to execute, a scheme and artifice to defraud a financial institution, that is, the financial institutions listed in paragraph 6 above, and to obtain moneys, funds, credits, assets, securities and other property owned by and under the custody and control of the financial institutions listed in paragraph 6 above, by means of materially false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344; and
- b. wire fraud, that is, having devised and intending to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, did transmit and cause to be transmitted, by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures and sounds, for the purpose of executing the scheme to defraud, in violation of Title 18, United States Code, Section 1343.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO-FOURWire Fraud
(18 U.S.C. § 1343)

The Grand Jury charges:

48. The Grand Jury re-alleges and incorporates by reference paragraphs 1-45 of this Indictment.

49. On or about the dates set forth below, in the District of Massachusetts and elsewhere, the defendants and others known and unknown to the grand jury,

- (1) OSAKPAMWAN HENRY OMORUYI, a/k/a/ "Clifford Bernard," and
- (2) OSARETIN GODSPOWER OMORUYI, a/k/a/ "Nelson Bright," a/k/a/ "Bright Nelson,"

having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing the scheme to defraud, as set forth below:

Count	Approximate Date	Description
2	8/14/2019	\$4,147 wire from Victim 8's account in Kentucky to a Hanscom Federal Credit Union account in the name of OSARETIN OMORUYI in Massachusetts.
3	2/13/2020	\$14,000 wire from deposit of \$14,000 cashier's check from Victim 5 at KeyBank in Ohio into a Rockland Trust account in the name of OSAKPAMWAN HENRY OMORUYI in Massachusetts.
4	5/29/2020	\$8,025 wire of COVID-related unemployment benefits in the name of Victim 9 from Maine Department of Labor to a TD Bank account in the name of Clifford Bernard in Massachusetts.

All in violation of Title 18, United State Code, Section 1343.

COUNT FIVE
Unlawful Monetary Transactions
(18 U.S.C. § 1957)

The Grand Jury charges:

50. The Grand Jury re-alleges and incorporates by reference paragraphs 1-45 of this Indictment.

51. On or about July 15, 2020, in the District of Massachusetts and elsewhere, the defendant,

(1) OSAKPAMWAN HENRY OMORUYI, a/k/a/ "Clifford Bernard," knowingly engaged and attempted to engage in a monetary transaction in criminally derived property of a value greater than \$10,000, that is, by depositing a \$20,000 cashier's check drawn from funds of Victim 4 into a JP Morgan Chase account ending in -1318 in the name of OSAKPAMWAN HENRY OMORUYI, where such property was derived from specified unlawful activity, that is, wire fraud in violation of 18 U.S.C. § 1343.

All in violation of Title 18, United States Code, Section 1957.

COUNT SIX
Unlawful Monetary Transactions
(18 U.S.C. § 1957)

The Grand Jury charges:

52. The Grand Jury re-alleges and incorporates by reference paragraphs 1-45 of this Indictment.

53. On or about August 27, 2020, in the District of Massachusetts and elsewhere, the defendant,

(2) OSARETIN GODSPOWER OMORUYI, a/k/a/ "Nelson Bright," a/k/a/ "Bright Nelson,"

knowingly engaged and attempted to engage in a monetary transaction in criminally derived property of a value greater than \$10,000, that is, by depositing a \$15,560 cashier's check into a JP Morgan Chase account ending in -8196 in the name of OSARETIN GODSPOWER OMORUYI, where such property was derived from specified unlawful activity, that is, wire fraud in violation of 18 U.S.C. § 1343.

All in violation of Title 18, United States Code, Section 1957.

FORFEITURE ALLEGATION
(18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

54. Upon conviction of the offenses of wire fraud and conspiracy to commit bank and wire fraud in violation of Title 18, United States Code, Sections 1343 and 1349, set forth in Count One through Four of this Indictment, the defendants,

- (1) OSAKPAMWAN HENRY OMORUYI, a/k/a/ "Clifford Bernard," and
- (2) OSARETIN GODSPOWER OMORUYI, a/k/a/ "Nelson Bright," a/k/a/ "Bright Nelson,"

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses.

55. If any of the property described in Paragraph 54, above, as being forfeitable pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendants --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 54 above.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

MONEY LAUNDERING FORFEITURE ALLEGATION

(18 U.S.C. § 982(a)(1))

56. Upon conviction of the offenses in violation of Title 18, United States Code, Section 1957, set forth in Counts Five through Six, the defendants,

- (1) OSAKPAMWAN HENRY OMORUYI, a/k/a/ "Clifford Bernard," and
- (2) OSARETIN GODSPOWER OMORUYI, a/k/a/ "Nelson Bright," a/k/a/ "Bright Nelson,"

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in such offenses, and any property traceable to such property.

57. If any of the property described in Paragraph 56, above, as being forfeitable pursuant to Title 18, United States Code, Section 982(a)(1), as a result of any act or omission of the defendants --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;


it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in Paragraph 56 above.

All pursuant to Title 18, United States Code, Section 982(a)(1).

A TRUE BILL



FOREPERSON


SARA MIRON BLOOM
IAN STEARNS
ASSISTANT UNITED STATES ATTORNEYS
DISTRICT OF MASSACHUSETTS

District of Massachusetts: July 20, 2021
Returned into the District Court by the Grand Jurors and filed.



DEPUTY CLERK